

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.T., Individually and on behalf of D.T. *et al.*,

Plaintiffs,

-against-

BILL de BLASIO, in his official capacity as the Mayor of  
New York City *et al.*,

Defendants.

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**NOTICE OF MOTION  
TO DISMISS**

20 CV 5878 (CM)

**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Christina Foti, dated September 18, 2020, the Declaration of Demetre Daskalakis, MD, MPH, dated September 18, 2020, and the NYC Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion for a Preliminary Injunction and in Support of their Motion to Dismiss the Complaint, Defendants Mayor Bill de Blasio, Chancellor Richard Carranza, and the New York City Department of Education, by their attorney, James E. Johnson, Corporation Counsel of the City of New York, will move this Court before the Honorable Colleen McMahon, at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, at a date and time to be determined by the Court, for an order pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, granting the NYC Defendants' motion, dismissing all claims against the NYC Defendants in their entirety, and granting the NYC Defendants such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
September 18, 2020

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By: /s/ MGT  
Mark G. Toews  
Assistant Corporation Counsel

To: **VIA ECF**  
*counsel of record*